IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND EIGHT
PRESENT
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.23109 of 2007

Between:
K. Mallareddy S/o. late Bakka Reddy
R/o. 5-65, Post & Vill. Nomula, Mandal, Nakrekal,
Nalgonda District.

..... PETITIONER

AND

1 APSRTC, Rep. by its Managing Director, Musheerabad, Hyderabad.
2 The Depot Manager, APSRTC, Bus Depot, Suryapet, Nalgonda District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or direction particularly one in the nature of writ of Mandamus declaring the action of the respondents corporation in not arranging the gratuity for the out of service period i.e, 18-9-1979 to 31-8-1985 on the petitioner retirement as illegal, unjust capricious in violation of Art. 14, 16 & 21 of the Constitution of India and also contrary to the purport of the award made in ID No. 26 of 1982 and consequently direct the respondents to pay the gratuity for the above period in the interest of justice and fair play.

Counsel for the Petitioner: Mr.V.NARASIMHA GOUD

Counsel for the Respondents: SMT.B.G.UMA DEVI

The Court made the following :

ORAL ORDER:

This Writ Petition is filed seeking a Mandamus to declare the action of the respondent-Corporation in not arranging gratuity for the out of service period i.e. 18-9-1979 to 31-8-1985 on the petitioner's retirement as arbitrary and illegal and consequently to direct the respondents to pay gratuity to the petitioner for the said period.

While admitting the Writ Petition, this Court by an interim order dated 1-11-2007 directed the respondents to consider payment of gratuity to the petitioner for the period from 18-9-1978 to 30-3-1985, if he is otherwise eligible, as per law. It appears, in pursuance of the said order, the respondents have already released gratuity amount as per the eligibility of the petitioner i.e. Rs.52,015/- and paid the same to the petitioner. In view of the same, no further orders are necessary to be passed in the Writ Petition.

The Writ Petition is, therefore, closed.

18-3-2008

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